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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 KEVIN SHORT,

9 Plaintiff,

10 v.

11 COMMISSIONER OF SOCIAL
12 SECURITY,

13 Defendant.

Case No. C18-5112 MLP

ORDER

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15 This matter comes before the Court on remand from the Ninth Circuit, with instructions
16 to vacate the Commissioner's decision and remand under sentence six of 42 U.S.C. 405(g) for
17 further consideration of the 2017 VA disability rating decision and the compensation and
18 pension examinations. The administrative law judge shall consider this evidence and reconsider
19 any part of the Commissioner's decision impacted by that evidence.

20 The Court will retain jurisdiction over the action pending further administrative
21 proceedings. *See Melkonyan v. Sullivan*, 501 U.S. 89, 98-102 (1991). If the outcome of those
22 proceedings is unfavorable to Plaintiff, he may seek judicial review by reinstating this case rather
23 than by filing a new complaint. If the outcome is favorable to Plaintiff, the parties will move this
Court for entry of judgment.

1 Dated this 4th day of May, 2021.

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5 MICHELLE L. PETERSON
6 United States Magistrate Judge
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